

FISCAL YEAR 2026

**MARK UP
HOUSE BILL 12
PUBLIC DEFENDER**

103rd General Assembly

First Regular Session

Prepared by Senate Appropriations staff

OFFICE OF PUBLIC DEFENDER

Section 12.400 – Director’s Office/Legal Services

Page 5

Description: The Director’s Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Basis: Chapter 600, RSMo.

Funding Source: General Revenue Fund (1101)

FY 2025 GR W/H: \$0

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

Core reduction: (\$265,000) GR E&E reduction

SENATE:

CONFERENCE:

Public Defender												
	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Office Of The Director - 950001B												
Core												
General Revenue	56,351,788	694.13	56,351,788	652.10	57,848,556	694.13	57,848,556	694.13	57,848,556	694.13	57,583,556	694.13
Personal Services	46,774,012	694.13	43,689,615	652.10	48,270,780	694.13	48,270,780	694.13	48,270,780	694.13	48,270,780	694.13
Expense & Equipment	9,577,776	0.00	12,662,173	0.00	9,577,776	0.00	9,577,776	0.00	9,577,776	0.00	9,312,776	0.00
Other Funds	6,355,407	0.00	4,930,152	0.00	9,098,619	0.00	9,098,619	0.00	9,098,619	0.00	9,098,619	0.00
Expense & Equipment	5,715,921	0.00	4,930,152	0.00	9,098,619	0.00	9,098,619	0.00	9,098,619	0.00	9,098,619	0.00
Program-Specific	639,486	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	\$62,707,195	694.13	\$61,281,940	652.10	\$66,947,175	694.13	\$66,947,175	694.13	\$66,947,175	694.13	\$66,682,175	694.13
HDS Mitigation Specialist - NOP.95B.001												
General Revenue	0	0.00	0	0.00	0	0.00	3,298,095	45.00	0	0.00	0	0.00
Personal Services	0	0.00	0	0.00	0	0.00	2,616,840	45.00	0	0.00	0	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	681,255	0.00	0	0.00	0	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$3,298,095	45.00	\$0	0.00	\$0	0.00
Increase Spending Authority - NOP.95B.003												
Other Funds	0	0.00	0	0.00	0	0.00	1,425,254	0.00	7,787,576	0.00	0	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	1,425,254	0.00	7,787,576	0.00	0	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$1,425,254	0.00	\$7,787,576	0.00	\$0	0.00
MSPD is requesting an increase in appropriation authority equal to the remaining cash balance of the \$5,076,434 in public defender reinvestment funds we received in the FY24 supplemental budget.												
Pay Plan - SWO.GV.002												
General Revenue	0	0.00	0	0.00	0	0.00	0	0.00	2,285,741	0.00	0	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	2,285,741	0.00	0	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$2,285,741	0.00	\$0	0.00
The FY 2026 budget includes appropriation authority for a time of service adjustment plan for full-time state employees. This would provide a 1% salary increase for every two years of continuous state service and would cap out at 10% for 20 years of service. This excludes job classes with statutorily-set salaries, the Departments of Transportation and Conservation, and certain job classes within the Missouri State Highway Patrol, who have existing time of service pay structures. State employees working in 24/7 facilities that already have this time of service pay plan will get a one percent cost of living adjustment.												
Mileage increase to 70 cents - SWO.HS.004												
General Revenue	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	103,912	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	103,912	0.00
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2,485	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2,485	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$106,397	0.00

Public Defender												
	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Increase Mileage rate to match IRS rate of \$0.70 per mile												
House Pay Plan - SWO.HS.005												
General Revenue	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1,351,759	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1,351,759	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$1,351,759	0.00
PayPlan half percent vacancy - SWO.HS.010												
General Revenue	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	231,713	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	231,713	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$231,713	0.00
Total - Office Of The Director	\$62,707,195	694.13	\$61,281,940	652.10	\$66,947,175	694.13	\$71,670,524	739.13	\$77,020,492	694.13	\$68,372,044	694.13

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Extraordinary Expenses and Conflict Cases

Page 19

Description: This section provides funding for three main types of expenses: payments of expenses associated with the defense or violent crimes, litigation expenses exceeding \$500, and expenses of contracting with private counsel in conflict cases.

Legal Basis: Chapter 600, RSMo.

Funding Source: General Revenue Fund (1101)

FY 2025 GR W/H: \$0

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

CONFERENCE:

Public Defender												
	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Extraordinary Expense/Conflic - 950002B												
Core												
General Revenue	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00
Expense & Equipment	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00	4,736,344	0.00
Total	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00
Mileage increase to 70 cents - SWO.HS.004												
General Revenue	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	5,919	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	5,919	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$5,919	0.00
Increase Mileage rate to match IRS rate of \$0.70 per mile												
Total - Extraordinary Expense/Conflic	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00	\$4,736,344	0.00	\$4,742,263	0.00

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Legal Defense and Defender Fund

Page 24

Description: This section includes funding for personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Basis: Chapter 600, RSMo.

Funding Source: Legal Defense and Defender Fund (1670)

FY 2025 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

Core reallocation within: $\pm$ \$50,000 Other Funds PSD reallocated to Other Funds E&E within the section to align budget with planned expenditures

GOVERNOR:

Same as Department – no additional core changes

HOUSE:

Same as Department – no additional core changes

SENATE:

CONFERENCE:

Public Defender												
	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Legal Defense & Defender Fund - 950003B												
Core												
Other Funds	3,550,143	2.00	1,469,565	2.00	3,555,419	2.00	3,555,419	2.00	3,555,419	2.00	3,555,419	2.00
Personal Services	164,865	2.00	164,865	2.00	170,141	2.00	170,141	2.00	170,141	2.00	170,141	2.00
Expense & Equipment	3,260,278	0.00	1,258,255	0.00	3,260,278	0.00	3,310,278	0.00	3,310,278	0.00	3,310,278	0.00
Program-Specific	125,000	0.00	46,446	0.00	125,000	0.00	75,000	0.00	75,000	0.00	75,000	0.00
Total	\$3,550,143	2.00	\$1,469,565	2.00	\$3,555,419	2.00	\$3,555,419	2.00	\$3,555,419	2.00	\$3,555,419	2.00
Pay Plan - SWO.GV.002												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	15,324	0.00	0	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	15,324	0.00	0	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$15,324	0.00	\$0	0.00
The FY 2026 budget includes appropriation authority for a time of service adjustment plan for full-time state employees. This would provide a 1% salary increase for every two years of continuous state service and would cap out at 10% for 20 years of service. This excludes job classes with statutorily-set salaries, the Departments of Transportation and Conservation, and certain job classes within the Missouri State Highway Patrol, who have existing time of service pay structures. State employees working in 24/7 facilities that already have this time of service pay plan will get a one percent cost of living adjustment.												
Mileage increase to 70 cents - SWO.HS.004												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	10,638	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	10,638	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$10,638	0.00
Increase Mileage rate to match IRS rate of \$0.70 per mile												
House Pay Plan - SWO.HS.005												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	6,840	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	6,840	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$6,840	0.00
PayPlan half percent vacancy - SWO.HS.010												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	822	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	822	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$822	0.00
Total - Legal Defense & Defender Fund	3,550,143	2.00	1,469,565	2.00	3,555,419	2.00	3,555,419	2.00	3,570,743	2.00	3,573,719	2.00

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Debt Offset Escrow

Page 30

Description: This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Basis: Chapter 600, RSMo.

Funding Source: Debt Offset Escrow Fund (1753).

FY 2025 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

CONFERENCE:

Public Defender

	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Debt Offset Escrow Fund - 950004B												
Core												
Other Funds	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00
Transfers	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00	2,450,000	0.00
Total	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00
Total - Debt Offset Escrow Fund	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00	\$2,450,000	0.00

OFFICE OF PUBLIC DEFENDER

Section 12.400 cont. – Grants

Page 35

Description: This section provides appropriation authority if grants are received from the federal government.
Legal Basis: Chapter 600, RSMo.
Funding Source: Federal Funds (1112)
FY 2025 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

No core changes

GOVERNOR:

No core changes

HOUSE:

No core changes

SENATE:

CONFERENCE:

	Public Defender											
	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Grants - 950005B												
Core												
Federal Funds	1,125,000	0.00	306,695	0.00	1,125,000	0.00	1,125,000	0.00	1,125,000	0.00	1,125,000	0.00
Expense & Equipment	500,000	0.00	306,695	0.00	500,000	0.00	625,000	0.00	625,000	0.00	625,000	0.00
Program-Specific	625,000	0.00	0	0.00	625,000	0.00	500,000	0.00	500,000	0.00	500,000	0.00
Total	\$1,125,000	0.00	\$306,695	0.00	\$1,125,000	0.00	\$1,125,000	0.00	\$1,125,000	0.00	\$1,125,000	0.00
Increase Spending Authority - NOP.95B.002												
Federal Funds	0	0.00	0	0.00	0	0.00	1,310,384	1.00	1,310,384	1.00	0	0.00
Personal Services	0	0.00	0	0.00	0	0.00	60,384	1.00	60,384	1.00	0	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	1,250,000	0.00	1,250,000	0.00	0	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$1,310,384	1.00	\$1,310,384	1.00	\$0	0.00
MSPD is requesting \$1,250,000 to increase spending authority should Federal, gifts, or other funds become available during Fiscal Year 2026. Funds would be used at the discretion of the Director or the State Public Defender Commission for the operation of the department, including, but no limited to, training, legal research, one-time equipment purchases, office moves, private attorney fees or other critical needs. The statutory language passed in FY25 to allow MSPD to collect gifts and donations from outside sources. In addition, MSPD is continually applying for additional grants. This will ensure we have the ability to accept these funds with the additional spending authority. In addition we are requesting 1 FTE to support our grants. This position will be filled only if grant funds are available to support it.												
Pay Plan - SWO.GV.002												
Federal Funds	0	0.00	0	0.00	0	0.00	0	0.00	604	0.00	0	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	604	0.00	0	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$604	0.00	\$0	0.00
The FY 2026 budget includes appropriation authority for a time of service adjustment plan for full-time state employees. This would provide a 1% salary increase for every two years of continuous state service and would cap out at 10% for 20 years of service. This excludes job classes with statutorily-set salaries, the Departments of Transportation and Conservation, and certain job classes within the Missouri State Highway Patrol, who have existing time of service pay structures. State employees working in 24/7 facilities that already have this time of service pay plan will get a one percent cost of living adjustment.												
Mileage increase to 70 cents - SWO.HS.004												
Federal Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	245	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	245	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$245	0.00
Increase Mileage rate to match IRS rate of \$0.70 per mile												
Pay Plan - New PS - SWO.HS.007												
Federal Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	604	0.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	604	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$604	0.00
Total - Grants	\$1,125,000	0.00	\$306,695	0.00	\$1,125,000	0.00	\$2,435,384	1.00	\$2,435,988	1.00	\$1,125,849	0.00

OFFICE OF PUBLIC DEFENDER
Section 12.400 cont. – Underserved Areas

Page 17

Description: This section provides funding for contracting fees and travel expenses in an effort to increase services in underserved areas.
Legal Basis:
Funding Source: Public Defender Reinvestment Fund (1641)
FY 2025 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

New section created by the House.

GOVERNOR:

New section created by the House.

HOUSE:

New Decision Item: \$3,000,000 Other Funds E&E

SENATE:

CONFERENCE:

Public Defender

	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Underserved Areas - 950008B												
Underserved Areas - NOP.HS.037												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	3,000,000	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	3,000,000	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$3,000,000	0.00
Total - Underserved Areas	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$3,000,000	0.00

OFFICE OF PUBLIC DEFENDER
Section 12.400 cont. – Technology Upgrades

Page 17

Description: This section provides funding for computer equipment upgrades and information technology security enhancements.
Legal Basis:
Funding Source: Public Defender Reinvestment Fund (1641)
FY 2025 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

New section created by the House.

GOVERNOR:

New section created by the House.

HOUSE:

New Decision Item: \$2,000,000 Other Funds E&E

SENATE:

CONFERENCE:

Public Defender

	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Technology Upgrades - 950009B												
Technology-Security Upgrades - NOP.HS.038												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2,000,000	0.00
Expense & Equipment	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2,000,000	0.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$2,000,000	0.00
Total - Technology Upgrades	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$2,000,000	0.00

OFFICE OF PUBLIC DEFENDER
Section 12.400 cont. – Holistic Defense Services

Page 12

Description: This section provides funding for holistic defense services.
Legal Basis:
Funding Source: Public Defender Reinvestment Fund (1641)
FY 2025 GR W/H: N/A

CORE ADJUSTMENTS:

DEPARTMENT:
New section created by the House.

GOVERNOR:
New section created by the House.

HOUSE:
New Decision Item: \$1,163,040 Other Funds PS & 20.00 FTE

SENATE:

CONFERENCE:

Public Defender

	FY24 Budget Amount	FY24 Budget FTE	FY24 Actual Amount	FY24 Actual FTE	FY25 Budget Amount	FY25 Budget FTE	FY26 Department Request	FY26 Department Request FTE	FY26 Governor Recommended as Amended	FY26 Governor Recommended as Amended FTE	FY26 House Recommended	FY26 House Recommended FTE
Section 12.400												
Mitigation Specialists - 950010B												
HDS Mitigation Specialist - NOP.95B.001												
Other Funds	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1,163,040	20.00
Personal Services	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1,163,040	20.00
Total	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$1,163,040	20.00
The request is for forty-five (45) FTE to serve as mitigation specialists. Mitigation specialists serve in the Holistic Defense Services division of MSPD and connect public defender clients to community services so that the clients are successfully reintegrated into their communities. The 45 mitigation specialists will assist in the 80,000 plus cases handled every year by also providing the prosecution and the courts with mitigating information and sentencing options. This client centric defense approach will result in decreased incarceration costs and improved community reentry for public defender clients. This program is an integral part of MSPD's fulfillment of the constitutionally required representation mandated by the Sixth Amendment of the United States Constitution, Article I, Section 18 of the Missouri Constitution and Chapter 600 of the Missouri Revised Statutes.												
Total - Mitigation Specialists	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$1,163,040	20.00